

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 701826-056380 U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/521868
INTERNATIONAL APPLICATION NO. PCT/CA2003/001100	INTERNATIONAL FILING DATE 22 July 2003 (22.07.2003)	PRIORITY DATE CLAIMED 22 July 2002 (22.07.2002)
TITLE OF INVENTION PROCESS FOR INCREASING THE YIELD OF LIPID AND OMEGA-3 FATTY ACID IN SEAWEED CULTURE		
APPLICANT(S) FOR DO/EO/US UNIVERSITE DE SHERBROOKE; UNIVERSITE LAVAL; RIVAL S.E.C.; TREMBLAY, Réjean; PERNET, Fabrice and BOURGET, Edwin		


Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☒ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☒ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: **See Attachment 1**

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/521868		PCT/CA2003/001100		701826-056380	
21. The following fees are submitted:				Applicant use	Office use only
<input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$ 300.00	
<input checked="" type="checkbox"/> b) Examination fee..... \$200.00				\$ 200.00	
<input checked="" type="checkbox"/> c) Search fee..... \$500.00				\$ 500.00	
TOTAL OF ABOVE CALCULATIONS = \$1000.00				\$ 1,000.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
8 - 100 =	-92 /50 =		x \$250.00	\$ 0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$	
Total claims	10 - 20 =	0	x \$50.00	\$ 0.00	
Independent claims	2 - 3 =	0	x \$200.00	\$ 0.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ 0.00	
TOTAL OF ABOVE CALCULATIONS =				\$ 1,130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$ 565.00	
SUBTOTAL =				\$ 565.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$ 0.00	
TOTAL NATIONAL FEE =				\$ 565.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ 0.00	
TOTAL FEES ENCLOSED =				\$ 565.00	
Amount to be refunded:					\$
Amount to be charged					\$
<p>a. <input checked="" type="checkbox"/> A check in the amount of \$ 565.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0850. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>					
<p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.</p>					
<p>SEND ALL CORRESPONDENCE TO:</p> <p>David S. Resnick NIXON PEABODY LLP 100 Summer Street Boston, MA 02110-2131</p>					
<p style="text-align: right;">  SIGNATURE David S. Resnick NAME 34,235 REGISTRATION NUMBER </p>					

Addendum

Attachment 1

Cover Sheet (WO 2004/009826 A3); Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308); International Search Report & Annex (PCT/IB/210); Notification of Transmittal of the International Preliminary Examination Report (PCT/IPEA/416); International Preliminary Examination Report & Annex (PCT/IPEA/409); Express Mail Certificate - EL 948 121 798 US; Check - \$565.00; Return Receipt Postcard.

Practitioner's Docket No. 701826-056380

PATENT

IN THE UNITED STATES RECEIVING OFFICE

International Application Number	International Filing Date	International Earliest Priority Date
PCT/CA2003/001100	22 July 2003	22 July 2002
	22.07.03	22.07.02

TITLE OF INVENTION: PROCESS FOR INCREASING THE YIELD OF LIPID
AND OMEGA-3 FATTY ACID IN SEAWEED CULTURE
APPLICANT FOR DO/US: UNIVERSITÉ DE SHERBROOKE; UNIVERSITÉ LAVAL
AND RIVAL S.E.C.
INVENTORS FOR DO/US: TREMBLAY, Réjean; PERNET, Fabrice; and BOURGET,
Edwin
U.S. SERIAL NO.: TO BE ASSIGNED

MAIL STOP PCT (U.S. Receiving Office)
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**VERIFIED CERTIFICATION OF EXPRESS MAILING DATE
(INTERNATIONAL APPLICATION (37 C.F.R. § 1.10(c))**

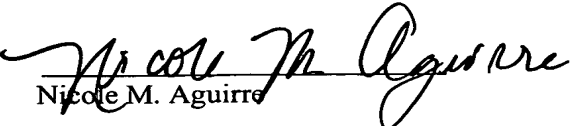
I declare that, on January 21, 2005, I deposited with the United States Postal Service, in an envelope "Express Mail, Post Office to Addressee," bearing Label Number EL 948 121 798 US, addressed to "MAIL STOP PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450," and having an express mail certification that I executed, the following papers:

1. Transmittal Letter – Form PTO-1390 in Duplicate (6 pp.);
2. Preliminary Amendment (5 pp.);
3. Application Data Sheet (8 pp.);
4. Cover Sheet (WO 2004/009826 A3) (1 pp.);
5. Notice Informing the Applicant of the Communication of the International Application to the Designated Offices (PCT/IB/308) (1 pg.);
6. International Search Report (PCT/IB/210) & Annex (3 pp.);
7. Notification of Transmittal of the International Preliminary Examination Report (PCT/IPEA/416) (1 pg.);
8. International Preliminary Examination Report & Annex (PCT/IPEA/409) (6 pp.);
9. Check - \$ 565.00;
10. Return Receipt Postcard.

A copy of these papers from the file of this application is attached.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application of any patent issuing thereon.

Date January 21, 2005


Nicole M. Aguirre